

INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (*modified*)ATTY DOCKET NO.
99_1175SERIAL NO.
09/422,803U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEAPPLICANT
Edwin SOUTHERNLIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: December 8, 2005

FILING DATE
October 22, 1999GROUP
1631

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,216,245	8/1980	Johnson	427	2	
	AB	4,995,400	7/1989	Wilson et al.	485	6	
	AC	4,563,410	1/1986	Ranki et al.	495	6	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AD	0 295 720	9/1987	EP			
	AE	0 171 150	2/1986	EP			
	AF	85/01051	3/1985	WO			
	AG	0 268 237	3/1988	EP			
	AH						

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AI	Declaration from Radomir Crkvenjakov (with four exhibits), September 1996.
JSB	AJ	Declaration from Ivan Labat , September 1996.
JSB	AK	Statement from the Institute of Molecular Genetics and Genetic Engineering (IMGGE) in Belgrade, September 1996.
JSB	AL	Statement by Professor Roger Ekins (with an abstract of a lecture given by him on 4/11/88 at a symposium, and a post-published paper corresponding to said lecture), December 1996.
JSB	AM	Statutory Declaration of Dr. Nicholas Vaughan Ashely (with Exhibit NVA1), May 1995.
JSB	AN	Statutory Declaration of Dr. William Bains (with Exhibits WB1, WB2 and WB3), May 1995.

EXAMINER

/John S. Brusca/

DATE CONSIDERED

10/22/2006

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
BA		4,704,353	11/1987	Humphries et al.	435	4	
BB		4,327,072	4/1982	Huang	424	1	
BC		4,728,502	3/1988	Hemill	422	110	
BD		5,002,607	3/1991	Macevicz	435	6	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
DE		06/01302	2/1988	WO			
DF		86/03782	7/1986	WO			
BG		0 236 332	9/1987	EP			
DH		2 150 074	10/1985	GB			
DI		0 297 002	9/1987	EP			
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
JSB	BJ	Declaration of Professor Lubert Stryer, January 1997.					
JSB	BK	Statutory Declaration of Dr. William Bains, January 1997.					
JSB	BL	Statutory Declaration of Dr. Nicholas Vaughan Ashley, January 1997.					
JSB	BM	Declaration of Edwin Mellor Southern (with Exhibits EMS1 and EMS2), January 1998.					
JSB	BN	Declaration of Dr. Thomas Gingeras, January 1999.					
JSB	BO	Declaration of Professor Calvin Quate, January 1999.					
EXAMINER	/John S. Brusca/			DATE CONSIDERED	10/22/2006		

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CA		5,202,231	4/1993	Drmanac et al.	435	6	
CD		5,474,790	12/1995	Brennan	427	2.13	
CC		5,120,807	7/1995	Mateen et al.	123	131	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
CD		89/11548	11/1989	WO			
CE		93/22400	11/1993	WO			
CF		0 386 220	0/1990	EP			
CO		0 201 927	9/1990	EP			
CH		0 130 739	1/1995	EP			
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
JSB	CI	Declaration of Dr. Glenn Mc Gall, January 1999.					
JSB	CJ	Declaration of Edwin Mellor Southern, July 2001.					
JSB	CK	Bird & Bird, "Claimant's Notice of Experiments", In the United Kingdom Litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pp. 1-12, July 31, 2000, London, United Kingdom.					
JSB	CL	Declaration of Marvin Stodolsky, October 1996.					
	CM	M. S. Urdea et al., "A novel method for the rapid detection of specific nucleotide sequences in crude biological samples without blotting or radioactivity; application to the analysis of hepatitis B virus in human serum", Gene, Vol. 61, 1987, pp. 253-264.					
	CN	C. G. Miyada et al., "Oligonucleotide Hybridization Techniques", Methods in Enzymology, Vol. 154, No. 6, 1987, pp. 94-107.					
EXAMINER	/John S. Brusca/			DATE CONSIDERED	10/22/2006		

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	DA	4,591,570	5/1986	Chang	436	518	
	DB						
	DC						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	DD	0 228 075	7/1987	EP			
	DE	84/03151	8/1984	WO			
	DF	0 194 132	9/1986	EP			
	DG	0 063 810	11/1982	EP			
	DH	0 130 523	1/1985	EP			
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	DI	E. Calva et al., "Analysis of the in Vitro Synthesis of 5'- ³² P-labeled Transcripts from Coliphage λ by Gel Electrophoresis, RNA-DNA Hybridization, and RNase T1 Digestion", The Journal of Biological Chemistry, Vol. 255, No. 22, 1980, pp. 11011-11016.					
	DJ	A. R. Dunn et al., "A Novel Method to Map Transcripts: Evidence for Homology between an Adenovirus mRNA and Discrete Multiple Regions of the Viral Genome", Cell, Vol. 12, September 1977, pp. 23-36.					
	DK	G. Wengler et al., "A Study of Nucleotide Sequence Homology Between the Nucleic Acids of Different Alphaviruses", Virology, Vol. 78, No. 1, 1977, pp. 124-134.					
	DL	J. M. Coffin et al., "Structure of the Genome of Moloney Murine Leukemia Virus: A Terminally Redundant Sequence" Cell, Vol. 13, No. 4, April 1978, pp. 761-773.					
	DM	A. Palva et al., "Laboratory Methods, Quantification of α-Amylase mRNA in <i>Bacillus subtilis</i> by Nucleic Acid Sandwich with Hybridization", DNA, Vol. 7, No. 2, 1988, pp. 135-142.					
	DN	R. Drmanac et al., "Sequencing of Megabase Plus DNA by Hybridization: Theory of the Method" abstract presented at Cold Spring Harbor Symposium on Gene Mapping and Sequencing, April 27-May 1, 1988, Cold Spring Harbor, NY.					
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	EA						
	EB						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	EG	0 142 200	5/1085	EP			
	ED	86/06487	11/1086	WO			
	EE	84/03564	9/1084	WO			
	EF	86/00991	2/1086	WO			
	EG	02/40002	6/1092	WO			
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	EH	R. Drmanac et al., "Sequencing by Hybridization , Theory of the Method", poster presented at Cold Spring Harbor Symposium on Gene Mapping and Sequencing, April 27-May 1, 1988, Cold Spring Harbor, NY.					
JSB	EI	I. Labat, "Subfragments as an informative characteristic of the DNA molecule - computer simulation", Search Report, Labat Thesis, (and English translation), 1988.					
	EJ	R. Frank et al., "Simultaneous Synthesis and Biological Applications of DNA Fragments: An Efficient and Complete Methodology , Methods in Enzymology, Vol. 154, No. 13, 1987, pp. 221-251.					
	EK	R. Frank et al., "A new general approach for the simultaneous chemical synthesis of large number of oligonucleotides: segmental solid supports , Nucleic Acids Research, Vol. 11, No. 13, 1983, pp. 4385-4377.					
	EL	A. R. Brautigam et al., "Rapid Typing of Herpes Simplex Virus Isolates by Deoxyribonucleic Acid: Deoxyribonucleic Acid Hybridization", Journal of Clinical Microbiology, Vol. 12, No. 2, August 1980, pp. 226-234.					
	EM	R. K. Saiki et al., "Analysis of Enzymatically Amplified β -globin and HLA-DQ α DNA with Allele-Specific Oligonucleotide Probes", Nature, Vol. 324, November 1986, pp. 163-166.					
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	FA						
	FB						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	FC	0 305 929	3/1989	EP			
	FD	0 304 202	2/1989	EP			
	FE						
	FF						
	FG						
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	FH	A. Rosenthal et al., "Solid-phase methods for sequencing of nucleic acids I. Simultaneous sequencing of different oligodeoxyribonucleotides using a new, mechanically stable anion-exchange paper", Nucleic Acid Research, Vol. 13, No. 4, November 4, 1985, pp. 1173-1184.					
	FI	B. Lewin, Ed., "Genes", Third Edition, 1987, pp. 360-362. John Wiley & Sons, NY, NY.					
	FJ	R. B. Wallace et al., "Hybridization of Synthetic Oligodeoxyribonucleotides to λ -DNA: The Effect of Single Base Pair Mismatch", Nucleic Acids Research, Vol. 6, No. 11, 1979, pp. 3543-3557.					
	FK	G. Beltz et al., "Isolation of Multigene Families and Determination of Homologies by Filter Hybridization Methods", Methods in Enzymology, Vol. 100, No. 19, 1983, pp. 266-285.					
	FL	Doklady Biochemistry, Proceedings of the Academy of Sciences of the USSR, Biochemistry Section, Russian Original, Vol. 303, No. 1-6, November-December 1988, pp. 355-452 and Translation from Russian, Consultants Bureau, New York, Plenum Publishing Corporation, 1989, pp. 436-438.					
	FM	F. C. Kafatos et al., "Determination of Nucleic Acid Sequence Homologies and Relative Concentrations by a dot Hybridization Procedure", Nucleic Acids Research, Vol. 7, No. 6, 1979, pp. 1541-1552.					
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	GA						
	GB						
	GC						

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	GD						
	GE						
	GF						
	GG						
	GH						

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	GI	R. J. Lipshutz et al., "Using Oligonucleotide Probe Arrays to Access Genetic Diversity", BioTechniques, Vol. 19, No. 3, 1995, pp. 442-447.
	GJ	T. R. Gingeras et al., "Hybridization Properties of Immobilized Nucleic Acid", Nucleic Acids Research, Vol. 15, No. 13, 1987, pp. 5373-5390.
	GK	P.T. Gilham, "The Synthesis of Polynucleotide-Celluloses and Their use in the Fractionation of Polynucleotides", J. Am. Chem. Soc., Vol. 86, November 20, 1964, pp. 4982-4985.
	GL	H. M. Geysen et al., "Strategies for Epitope Analysis using Peptide Synthesis", Journal of Immunological Methods, Vol. 102, 1987, pp. 259-274.
	GM	G. M. Church et al., "Genomic Sequencing", Proc. Natl. Acad. Sci., Vol. 81(7), April 1984, pp. 1991-1995.
	GN	V. J. Kidd et al., "α-Antitrypsin Deficiency Detection by Direct Analysis of the Mutation in the Gene", Nature, Vol. 304, July 1983, pp. 230-234.

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	HA						
	HB						
	HC						
	HD						
FOREIGN PATENT DOCUMENTS							
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	HE						
	HF						
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	HG	P. Masinkowski et al., "Cloning of cDNA Sequences of Hormone-regulated Gene from the MCF-7 Human Breast Cancer Cell Line", Nucleic Acids Research, Vol. 10, No. 24, 1982, pp. 7895-7903.					
	HH	G. K. Sim et al., "Use of a cDNA Library for Studies on Evolution and Development Expression of the Chorion Multigene Families", Cell, Vol. 18, No. 4, December 1979, pp. 1303-1316.					
	HI	Margaret L. M. Anderson et al., "Quantitative Filter Hybridisation", Nucleic Acid Hybridisation, A Practical Approach, 1985, pp. 73-111, IRL Press, Washington, D.C.					
	HJ	W. Bains et al., "A Novel Method for Nucleic Acid Sequence Determination", J. Theor. Biol., Vol. 135, 1988, pp. 303-307.					
	HK	U. B. Voss et al., "The Immobilization of Oligonucleotides and Their Hybridization Properties", Biochemical Society Transactions, Vol. 16, 1988, pp. 216-217.					
	HL	Ghosh et al., "Covalent Attachment of oligonucleotides to Solid Supports", Nucleic Acids Research, Vol. 15, No. 13, 1987, pp. 5353-5372.					
	HM	Federation Proceedings, Vol. 43, No. 7, May 4, 1984, Abstract 3669.					
	HN	T. Maniatis et al., "Molecular Cloning", A Laboratory Manual, Cold Spring Harbor Laboratory, 1982, p. 282, Cold Spring Harbor, NY.					
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	IB						
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	IC	C. R. Cantor et al. "Report on the Sequencing by Hybridization Workshop" Genomics, Vol. 13, 1992, pp. 1378-1383.					
	ID	T. I. Bugawan et al., "Rapid HLA-DLB Typing Using Enzymatically Amplified DNA and Nonradioactive Sequencing-Specific Oligonucleotide Probes", Immunogenetics, Vol. 32, 1990, pp. 231-241.					
JSB	IE	Global Technology Group, Flier for PA Consulting Group, 1988.					
	IF	Stephen P. A. Fodor et al. "Light-Directed Spatially Addressable Parallel Chemical Synthesis", Science, Vol. 251, February 15, 1991, pp. 767-773.					
	IG	U. Maskos et al., "A Study of Oligonucleotide Reassociation using Large Arrays of Oligonucleotides Synthesised on a Glass Support", Nucleic Acids Research, Vol. 21, No. 20, 1992, pp. 4663-4669.					
	IH	U. Maskos et al., "Parallel Analysis of Oligodeoxyribonucleotide (Oligonucleotide) Interactions. I. Analysis of Factors Influencing Oligonucleotide Duplex Formation", Nucleic Acids Research, Vol. 20, No. 7, 1992, pp. 1675-1678.					
	II	J. C. Williams et al., "Studies of Oligonucleotide Interactions by Hybridisation to Arrays: The Influence of Dangling Ends on Duplex Yield", Nucleic Acids Research, Vol. 22, No. 8, 1994, pp. 1365-1367.					
	II	F. M. Southern et al. "Arrays of Complementary Oligonucleotides for Analysing the Hybridisation Behaviour of Nucleic Acids", Nucleic Acids Research, Vol. 22, No. 8, 1994, pp. 1368-1373.					
	IK	M. S. Shchepinov et al. "Steric Factors Influencing Hybridisation of Nucleic Acids to Oligonucleotide Arrays", Nucleic Acids Research, Vol. 25, No. 6, 1997, pp. 1155-1161.					
	IL	S. C Case-Green et al., "Studies on the Base Pairing Properties of Deoxvinosine by Solid Phase Hybridisation to Oligonucleotides", Nucleic Acids Research, Vol. 22, No. 2, 1994, pp. 131-136.					
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	JB						
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	JC	U. Maskos et al., "A Novel Method for the Parallel Analysis of Multiple Mutations in Multiple Samples", Nucleic Acids Research, Vol. 21, No. 9, 1993, 2269-2270.					
	JD	M. J. Kozal et al., "Extensive Polymorphisms Observed in HIV-1 Clade B Protease Gene Using High-Density Oligonucleotide Arrays", Nature Medicine, Vol. 2, No. 7, July 1996, pp. 753-759.					
	JE	M. Chee et al., "Accessing Genetic Information with High-Density DNA Arrays", Science, Vol. 274, October 1996, pp. 610-614.					
	JF	Kirk -Othmer, Encyclopedia of Chemical Technology, Third Edition, Vol. 3, pp. 487-491, 1978.					
	JG	Kirk-Othmer, Encyclopedia of Chemical Technology, Third Edition, Vol. 15, p. 224, 1981.					
	JH	R. Polksy-Cynkin et al., "Use of DNA Immobilized on Plastic and Agarose Supports to Detect DNA by Sandwich Hybridization", Clinical Chemistry, Vol. 31, No. 9, 1985, pp. 1438-1443.					
	JI	J. Welsh et al., "Protein-DNA Cross-Linking" TIBS, Vol. 9, December 1984, pp. 505-508.					
	JJ	G. H. Parsons, Jr., "Antibody-Coated Plastic Tubes in Radioimmunoassay", Meth., Enzymol., Vol. 73, 1973, pp. 224-238.					
	JK	Southern et al., Genomics, "Analyzing and Comprising Nucleic Acid Sequences by Hybridization to Arrays of Oligonucleotides", Vol. 13, 1992, pp. 1008-1017.					
	JL						
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	KA	5,486,452	1/1996	Gordon et al.	435	5	
	KB	4,994,373	2/1991	Stavrianopoulos et al.	435	6	
	KC	4,968,602	11/1990	Dattagupta	435	6	
	KD	4,961,915	10/1990	Martin	422	116	
	KE	4,849,330	7/1989	Humphries et al.	435	4	
	KF	4,451,433	5/1984	Yamashita et al.	422	63	
	KG	5,202,231	4/1993	Drmanac	435	6	
	KH	4,299,916	11/1981	Litman et al.	435	6	
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	KI	84/01031	3/1984	WO			
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	KJ	Webster's Third New International Dictionary, G & C Merriam Company, Publishers, Springfield, Massachusetts, USA, 1966, pages with the definitions of the terms "solid" and "sheet".					
	KK	The American Heritage Dictionary, Second College Edition, Houghton Mifflin Company, Boston, Massachusetts, 1991, page with the definition of the term "smooth".					
	KL	The Dictionary of Ceramic Science and Engineering, Plenum Press, New York, NY, 1984 - definition of "smooth glass".					
	KM	Academic Press Dictionary of Science and Technology, San Diego, CA , 1992 - definition of "smooth".					
	KN	S. F. Wolf et al., "Rapid Hybridization Kinetics of DNA Attached to Submicron Latex Particles", Nucleic Acids Research, Vol. 15, No. 7, 1987, pp. 2911-2926.					
	KO	J. N. Kremsky et al., "Immobilization of DNA via Oligonucleotides Containing an Aldehyde or Carboxylic Acid Group at the 5' Terminus", Nucleic Acids Research, Vol. 15, No. 7, 1987, pp. 2891-2909.					
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	LA						
	LB						
	LC						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	LD						
	LE						
	LF						
	LG						
	LH						
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
JSB	LI	Letter to Simon Kiddle from Dr. Renzo Malvano, November 2002.					
JSB	LJ	Letter to Simon Kiddle from Dr. Gian Carlo Zucchelli, November 2002.					
JSB	LK	Declaration of Professor Alberto Albertini, November 2002.					
JSB	LL	Declaration of Dr. Gianni Messeri, November 2002.					
JSB	LM	Second Statement of Professor Roger Ekins, January 2003.					
EXAMINER	/John S. Brusca/			DATE CONSIDERED	10/22/2006		

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			APPLICANT Edwin SOUTHERN				
Date Submitted to PTO: December 8, 2005			FILING DATE October 22, 1999	GROUP 1631			
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	MB						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	MC						
	MD						
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
JSB	ME	Slides used in Professor Ekins' lecture at the International Biotech RIA '88 Conference in Florence on 11 th April 1988.					
	MF	<u>Lev. D. Gelb and K.E. Gubbins, "Characterization of Porous Glasses by Adsorption: Models, Simulations and Data Inversion", Fundamentals of Adsorption, Vol. 6, 1999, pp. 551-556.</u>					
	MG	<u>Pharmacia Catalogue 1998, page describing Hybond-NX.</u>					
JSB	MH	Translation of EP A 0197266 filed for UK national validation, 1991.					
JSB	MI	E. M. Southern, Award Molecular Bioanalytics 2004, Biography.					
JSB	MJ	Award Molecular Bioanalytics 2004.					
	MK	<u>Bio Array News, Vol. 1, No. 1, June 1, 2001, pp. 1-10.</u>					
	ML	<u>News Events, Journal of Biomolecular Techniques, Vol. 15, 2004, pp. 152-153</u>					
EXAMINER	/John S. Brusca/			DATE CONSIDERED	10/22/2006		

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	02	4,089,485	8/1987	Frank et al.			
	06	6,340,065	9/1994	DattaGupta et al.			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	01	1 526 768	9/1976	GB			
	08	0 119 573 A1	9/1994	EP			
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
JSB	1	David Kitchin QC and Richard Meade, Affymetrix' Opening Submissions, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, HC 1999 04645, pages 1-81, March 22, 2001, London, United Kingdom.					
JSB	3	Bird & Bird, Notice to Admit Facts, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-5, January 28, 2000, London, United Kingdom.					
JSB	4	Richard Meade, Bristows, Second Defendant's Response to the Claimant's Notice to Admit Facts, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-3, June 22, 2000, London, United Kingdom.					
JSB	5	Bristows, Particulars of Independently Valid Claims, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-2, June 22, 2000, London, United Kingdom.					
EXAMINER /John S. Brusca/				DATE CONSIDERED		/John S. Brusca/	

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JSB	6	Richard Meade, Bristows, Statement of Reasons, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-4, June 30, 2000, London, United Kingdom.					
JSB	7	Bird & Bird, Statement of Opposition, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-5, June 30, 2000, London, United Kingdom.					
JSB	8	Bird & Bird, Re-Re-Re-Amended Particulars of Objections, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 04645, pages 1-5, March 13, 2001, London, United Kingdom.					
JSB	9	Alastair Wilson QC, Amended Particulars of Claim, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pages 1-11, November 26, 1999, Oxford, United Kingdom.					
JSB	10	Bird & Bird, Amended Particulars of Infringement, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pages 12-14, September 1, 2000, London, United Kingdom.					
JSB	11	Richard Meade, Defence and Counterclaim of the First and Second Defendants, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pages 1-6, August 6, 1999, London, United Kingdom.					
JSB	12	Richard Meade, Amended Particulars of Objections of the First and Second Defendants, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pages 21-37, January 15, 2001, London, United Kingdom.					
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JSB	13	Manches, Re-Re-Re-Amended Reply and Defence of Counterclaim, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pp. 38-46, March 2000, Oxford, United Kingdom.					
JSB	14	Dr. David R. Bentley, Summary of Expert Report, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-38, January 30, 2001, London, United Kingdom.					
JSB	15	Dr. David R. Bentley, Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1A-1F, pages 1-124, January 30, 2001, London, United Kingdom.					
JSB	16	Dr. David R. Bentley, Annex 1 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-17, January 30, 2001, London, United Kingdom.					
JSB	17	Dr. David R. Bentley, Annex 2 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-2, January 30, 2001, London, United Kingdom.					
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Sheet 4 of 17

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JSB	18	Dr. David R. Bentley, Annex 3 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-2, January 30, 2001, London, United Kingdom.
JSB	19	Dr. David R. Bentley, Annex 4 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-4, January 30, 2001, London, United Kingdom.
JSB	20	Dr. David R. Bentley, Annex 5 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-12, January 30, 2001, London, United Kingdom.
JSB	21	Dr. David R. Bentley, Annex 6 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-8, January 30, 2001, London, United Kingdom.
JSB	22	Dr. David R. Bentley, Annex 7 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-2, January 30, 2001, London, United Kingdom.
JSB	23	Dr. David R. Bentley, Annex 8 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-6, January 30, 2001, London, United Kingdom.

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JSB	24	Dr. David R. Bentley, Annex 9 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-12, January 30, 2001, London, United Kingdom.					
JSB	25	Dr. David R. Bentley, Annex 10 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-14, January 30, 2001, London, United Kingdom.					
JSB	26	Dr. David R. Bentley, Annex 11 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-5, January 30, 2001, London, United Kingdom.					
JSB	27	Dr. David R. Bentley, Annex 12 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-6, January 30, 2001, London, United Kingdom.					
JSB	28	Dr. David R. Bentley, Annex 13 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-8, January 30, 2001, London, United Kingdom.					
JSB	29	Dr. David R. Bentley, Annex 14 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-8, January 30, 2001, London, United Kingdom.					
JSB	30	Dr. David R. Bentley, Annex 15 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-4, January 30, 2001, London, United Kingdom.					
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JSB	31	Dr. David R. Bentley, Annex 16 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-38, January 30, 2001, London, United Kingdom.					
JSB	32	Dr. David R. Bentley, Annex 17 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-4, January 30, 2001, London, United Kingdom.					
JSB	33	Dr. David R. Bentley, Annex 18 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-2, January 30, 2001, London, United Kingdom.					
JSB	34	Dr. David R. Bentley, Annex 19 to Expert Report of Dr. David Bentley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-4, January 30, 2001, London, United Kingdom.					
JSB	35	Prof. Wolfgang Pfleiderer, Expert Report and Annex 1, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-40 and 1-2, January 19, 2001, Konstanz, Germany.					
JSB	36	Dr. David B. Wallace, Expert Report of David Bowen Wallace, P.E., PH.D., in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-55, January 18, 2001, London, United Kingdom.					
JSB	37	Dr. David B. Wallace, Annex 1 to Expert Report of David Bowen Wallace, P.E., PH.D., in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-25, January 18, 2001, London, United Kingdom.					
JSB	38	Dr. David B. Wallace, Annex 2 to Expert Report of David Bowen Wallace, P.E., PH.D., in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-24, January 18, 2001, London, United Kingdom.					
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JSB	39	Dr. Paul H. Silverman, Statement of Dr. Paul Hyman Silverman and Exhibit PS-1, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 and HC 1999 02517, pages 1-2 and 1-8, November 22, 2000, Irvine, California.					
JSB	40	Prof. Edwin M. Southern, First Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 , pages 1-10, May 1, 2000, Oxford, United Kingdom.					
JSB	41	Prof. Edwin M. Southern, Exhibit EMS-1 to First Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645 , pages 1-14, May 1, 2000, Oxford, United Kingdom.					
JSB	43	Prof. Edwin M. Southern, Exhibit EMS-2 to First Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-41, May 1, 2000, Oxford, United Kingdom.					
JSB	44	Prof. Edwin M. Southern, Exhibit EMS-3 to First Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-58, May 1, 2000, Oxford, United Kingdom.					
JSB	45	Prof. Edwin M. Southern, Fifth Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-13, January 22, 2001, Oxford, United Kingdom.					
JSB	46	Prof. Edwin M. Southern, Annex 4 to Fifth Witness Statement of Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 04645, pages 1-7, January 22, 2001, Oxford, United Kingdom.					
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JSB	47	Peter Jay Coassin, Witness Statement of Peter Jay Coassin, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-4, January 22, 2001, Fullerton, California.
JSB	48	Dr. Timothy S. Fell, Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-11, January 18, 2001, Oxford, United Kingdom.
JSB	49	Dr. Timothy S. Fell, Annex 1 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-5, January 18, 2001, Oxford, United Kingdom.
JSB	50	Dr. Timothy S. Fell, Annex 2 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-6, January 18, 2001, Oxford, United Kingdom.
JSB	51	Dr. Timothy S. Fell, Annex 3 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-8, January 18, 2001, Oxford, United Kingdom.
JSB	52	Dr. Timothy S. Fell, Annex 4 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-11, January 18, 2001, Oxford, United Kingdom.
JSB	53	Dr. Timothy S. Fell, Annex 5 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-2, January 18, 2001, Oxford, United Kingdom.
JSB	54	Dr. Timothy S. Fell, Annex 6 to Witness Statement of Timothy Stephen Fell, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-11, January 18, 2001, Oxford, United Kingdom.

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JSB	55	Stewart L. Huxley, Witness Statement of Stewart Leonard Huxley, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-2, January 8, 2001, Oxford, United Kingdom.					
JSB	56	Martin G. Johnson, Witness Statement of Martin George Johnson, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case nos. HC 1999 02517, pages 1-7, January 19, 2001, Oxford, United Kingdom.					
	57	<u>Ekins R., "Multi-analyte immunoassay", Journal of Pharmaceutical & Biomedical Analysis, Vol. 7, No. 2, pp. 155-168, 1989.</u>					
	58	<u>Kimura et al., "An Immobilized Enzyme Membrane Fabrication Method using an Ink Jet Nozzle", Biosensors, Vol. 4, pp. 41-52, 1988.</u>					
	59	<u>Geyson et al., "Strategies for epitope analysis using peptide synthesis", Journal of Immunological Methods, Vol. 102, pp. 259-274, 1987.</u>					
	60	<u>Monaco et al., "Human Genome Linking With Cosmids and Yeast Artificial Chromosomes", abstract from CSRS, p. 90, 1989.</u>					
JSB	63	Dr. Edwin Southern, Statutory Declaration of Dr. Edwin Southern, in the Opposition Proceedings against EP No. 0 619 321, pp. 1-17, Oct. 1999, Kidlington, United Kingdom.					
	64	<u>Ekins R., "Why we should move towards non-isotopic immunoassay?" Presentation at International Symposium on Molecular Probes: Technology and Medical Applications, pp. 1-22, April 11-13, 1988, Florence, Italy.</u>					
	65	<u>Lysov et al., "A New Method for Determining the DNA Nucleotide Sequence by Hybridization with Oligonucleotides", Doklady Biochemistry, Vol. 303, pp. 436-438, Nov-Dec 1988.</u>					
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			APPLICANT Edwin Southern				
Date Submitted to PTO: December 20, 2005			FILING DATE October 22, 1999	GROUP 1631			
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JSB	66	Professor Edwin Southern, Witness Statement of Professor Edwin Mellor Southern, in the United Kingdom litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pp. 1-40, January 2000, Kidlington, United Kingdom.					
JSB	67	Bird and Bird, Notice of Opposition, in the Opposition Proceedings against EP No. 0 619 321 filed by Oxford Gene Technology, pp. 1-15, Oct. 1999, London, United Kingdom.					
JSB	68	Dr. Edwin Southern, Statutory Declaration of Dr. Edwin Southern, in the Opposition Proceedings against EP No. 0 619 321, pp. 1-17, Oct. 1999, Oxford, United Kingdom.					
JSB	69	Morris, Nichols, Arsh & Tunnell, Defendant's Motion for Leave to File a Second Amended Answer, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-16, April 2000, Wilmington, Delaware.					
JSB	70	Dale Davis, Expert Report of Dale Davis, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-37, August 2000, Wilmington, Delaware.					
JSB	71	Grant Morgan, Expert Report of Grant Morgan, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-15, August 2000, Atascadero, California.					
JSB	72	Dr. Elias Corey, Expert Report of Dr. Elias James Corey, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-10, August 2000, Wilmington, Delaware.					
JSB	73	Dr. James Wetmur, Expert Report of Dr. James G. Wetmur, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-29, August 2000, Wilmington, Delaware.					
JSB	74	Morris, Nichols, Arsh & Tunnell, Memorandum of Points and Authorities In Support of Affymetrix's Opposition to OGT's Motion for Summary Judgment of Validity, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-13, September 2000, Wilmington, Delaware.					
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JSB	75	Dr. James Wetmur, Declaration of James G. Wetmur in Support of Affymetrix's Opposition to OGT's Motion for Summary Judgment of Validity, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, p. 1, September 2000, Palo Alto, California.					
JSB	76	Dr. James Wetmur, Expert Rebuttal Report of Dr. James G. Wetmur, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-45, September 2000, Palo Alto, California.					
JSB	77	Dr. Martin Adelman, Expert Report - Martin J. Adelman, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-16, August 2000, Washington, D.C.					
JSB	78	Dr. Elias Corey, Declaration of Dr. Elias James Corey in Support of Affymetrix' Opposition to OGT's Motion for Summary Judgment of Validity, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, p. 1, September 2000, Cambridge, Massachusetts.					
JSB	79	Pretrial Order Exhibits 1-5 and 12-13, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-110, October 2000, Wilmington, Delaware.					
JSB	80	Transcript of Markman Hearing, in the United States litigation between Oxford Gene Technology (OGT) v. Affymetrix, U.S. District Court for the District of Delaware, CA No. 99-348, pp. 1-149, October 2000, Wilmington, Delaware.					
	81	Wada A., Abstracts of Presentations at International Workshop on Automatic and High-Speed DNA Base Sequencing, pp. 2-11, July 7-9, 1987, Okayama, Japan.					
	82	Wellase et al., "Hybridization of synthetic oligodeoxyribonucleotides to phi 11 and 174 DNA: the effect of single base pair mismatch", Nucleic Acids Research, Vol. 6, No. 11, pp. 3543-3557, 1979.					
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84	Bannworth, W. et al., "A System for the Simultaneous Chemical Synthesis of Different DNA Fragments on Solid Support", DNA, Vol. 5, No. 5, pp. 413-419, 1986.					
85	Lohrmann, R. et al., "New Solid Supports for DNA Synthesis", Fourth Annual Congress for Recombinant DNA Research, p. 122, 1984.					
87	Goldkorn, T. et al., "A simple and efficient enzymatic method for covalent attachment of DNA to cellulose; Application for hybridization-restriction analysis and for in vitro synthesis of DNA probes", Nucleic Acids Research, Vo. 14, No. 22, pp. 9171-9191, 1986.					
88	Duncan, C. et al., "Affinity Chromatography of a Sequence-specific DNA Binding Protein Using Teflon-linked Oligonucleotides", Analytical Biochemistry, Vo. 169, pp. 104-108, 1988.					
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90	Nicholls, P. et al., "Nucleic Acid Analysis by Sandwich Hybridization", Journal of Clinical Laboratory Analysis, Vol. 3, pp. 122-135, 1989.					
91	Wallace, R. et al., "The use of synthetic oligonucleotides as hybridization probes. II. Hybridization of oligonucleotides of mixed sequence to rabbit beta-globin DNA", Nucleic Acids Research, Vol. 9, No. 4, pp. 879-894, 1981.					
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	94	Sproat, B. et al., "A new linkage for solid phase synthesis of oligonucleotides", Nucleic Acids Research, Vol. 13, No. 8, pp. 2979-2987, 1985.					
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JSB	100	Blank Rome LLP, OGT's Technology Tutorial, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-28, December 2003, Wilmington, Delaware.					
JSB	101	Ashby & Geddes, Defendant Mergen, Ltd.'s Slide Presentation for the December 18, 2003 Tutorial, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-11, December 2003, Wilmington, Delaware.					
JSB	102	Patton Boggs LLP, Defendant Clontech Laboratories Slide Presentation for the December 18, 2003 Tutorial, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-33, December 2003, Wilmington, Delaware.					
JSB	103	Kirkland & Ellis LLP, Letter to Perkins Coie LLP enclosing OGT's Claim Terms, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-6, April 2004, Chicago, Illinois.					
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JSB	104	Perkins Coie LLP, Mergen Ltd.'s Claim Terms and Proposed Construction, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-7, April 2004, Menlo Park, California.					
JSB	105	Dr. Paul Purdue, Expert Report of Paul Edward Purdue Ph.D., in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-10, May 2004, New York, NY.					
JSB	106	Dr. Paul Purdue, Expert Report of Paul Edward Purdue Ph.D., in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-13, June 2004, New York, NY.					
JSB	107	Potter Anderson & Corroon LLP, Defendant Mergen Ltd.'s Third Set of Supplemental Responses to Oxford Gene Technology Ltd's First and Second Set of Interrogatories, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-45, June 2004, Wilmington, Delaware.					
JSB	108	Blank Rome LLP, Oxford Gene Technology Ltd.'s Claim Construction Brief, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-186, July 2004, Wilmington, Delaware.					
JSB	109	Potter Anderson & Corroon LLP, Mergen Limited's Opening Claim Construction Brief, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-37, July 2004, Wilmington, Delaware.					
JSB	110	Potter Anderson & Corroon LLP, Mergen Limited's Reply in Support of its Motion for Summary Judgment of Invalidity of Claim 1 of United States Patent NO. 6,054,270 Pursuant to 35 U.S.C. 112, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-9, August 2004, Wilmington, Delaware.					
JSB	111	Potter Anderson & Corroon LLP, Declaration of Norbert Stahl in Support of Mergen Limited's Reply Brief in Support of its Motion for Summary Judgment of Invalidity of Claim 1 of United States Patent NO. 6,054,270 Pursuant to 35 U.S.C. 112, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-58, August 2004, Wilmington, Delaware.					
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JSB	112	Blank Rome LLP, Oxford Gene Technology's Claim Construction Brief In Response to Mergen's Claim Construction Briefing, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-118, August 2004, Wilmington, Delaware.					
JSB	113	Order and Memorandum Opinion of the U.S. District Court on Claim Construction, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-20, September 2004, Wilmington, Delaware.					
JSB	114	Order and Memorandum Opinion of the U.S. District Court on Expert Reports, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-23, November 2004, Wilmington, Delaware.					
JSB	115	Order and Memorandum Opinion of the U.S. District Court on Summary Judgment, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-39, November 2004, Wilmington, Delaware.					
JSB	116	Potter Anderson & Corroon LLP, Mergen Limited's Motion for Reconsideration of the Court's Order Granting in Part Oxford Gene Technology Limited's Motion for Partial Summary Judgment of Infringement, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-16, December 2004, Wilmington, Delaware.					
JSB	117	Blank Rome LLP, Oxford Gene Technology Limited's Opposition to Mergen Limited's Motion for Reconsideration, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-28, December 2004, Wilmington, Delaware.					
JSB	118	Potter Anderson & Corroon LLP, Mergen Limited's Reply in Support of its Motion for Reconsideration of the Court's Order, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-8, December 2004, Wilmington, Delaware.					
JSB	119	Blank Rome LLP, Letter to Judge Jordan re claim terms, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-2, January 2005, Wilmington, Delaware.					
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JSB	120	Order of the U.S. District Court on Mergen's Motion for Reconsideration, in the United States litigation between Oxford Gene Technology (OGT) v. Mergen Ltd et al., U.S. District Court for the District of Delaware, CA No. 02-1695, pp. 1-5, January 2005, Wilmington, Delaware.					
	121	Khrapko, K. et al., "An oligonucleotide hybridization approach to DNA sequencing", FEBS, Vol. 256, No. 1-2, pp. 118-122, October 1989.					
JSB	122	Potter Anderson & Corroon LLP, Telechem International, Inc.'s Responses to Oxford Gene Technology Ltd's First Set of Interrogatories, in the United States litigation between Oxford Gene Technology (OGT) v. Telechem International et al., U.S. District Court for the District of Delaware, CA No. 04-013, pp. 1-22, October 2004, Wilmington, Delaware.					
	123	Polsky-Cynkin, R. et al. "Use of DNA Immobilized on Plastic and Agarose Supports to Detect DNA by Sandwich-Hybridization", Clinical Chemistry, Vol. 31, No. 9, pp. 1438-1443, 1985.					
JSB	124	Michael Best & Friedrich LLP, Oxford Gene Technology Limited's Opening Markman Brief, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-81, December 2003, Chicago, Illinois.					
JSB	125	Brinks Hofer Gilson & Lione, Motorola's Response Markman Brief, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-39, January 2004, Chicago, Illinois.					
JSB	126	Brinks Hofer Gilson & Lione, Motorola's Response Markman Brief, Exhibits A-Z, the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-195, January 2004, Chicago, Illinois.					
JSB	127	Brinks Hofer Gilson & Lione, Motorola's Response Markman Brief, Exhibits A(1)-G(1), the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-51, January 2004, Chicago, Illinois.					
JSB	128	Brinks Hofer Gilson & Lione, Motorola's Response Markman Brief, Exhibits 1-3, the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-23, January 2004, Chicago, Illinois.					
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JSB	129	Michael Best & Friedrich LLP, OGT's Reply to Markman Brief, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-21, March 2004, Chicago, Illinois.					
JSB	130	Michael Best & Friedrich LLP, OGT's Exhibit A Claim Chart, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-10, March 2004, Chicago, Illinois.					
JSB	131	Michael Best & Friedrich LLP, OGT's Exhibit 1-9, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-139, March 2004, Chicago, Illinois.					
JSB	132	Michael Best & Friedrich LLP, OGT's Exhibit H-R, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-222, March 2004, Chicago, Illinois.					
JSB	133	Civil Docket for CA No. 99-0348, Oxford Gene Technology (OGT) v. Affymetrix, Inc., U.S. District Court for Delaware, pp. 1-36, April 2005, Wilmington, Delaware.					
JSB	134	Civil Docket for CA No. 02-1695, Oxford Gene Technology (OGT) v. Mergen, Ltd., U.S. District Court for Delaware, pp. 1-31, April 2005, Wilmington, Delaware.					
JSB	135	Civil Docket for CA No. 04-0013, Oxford Gene Technology (OGT) v. Telechem International, Inc., U.S. District Court for Delaware, pp. 1-7, April 2005, Wilmington, Delaware.					
JSB	136	Civil Docket for CA No. 02-1687, Oxford Gene Technology (OGT) v. Nanogen, Inc., U.S. District Court for Delaware, pp. 1-5, April 2005, Wilmington, Delaware.					
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Sheet 1 of 16

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Edwin SOUTHERNFILING DATE
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JSB	AF	0,237,362	9/1987	EP, Erlich et al.			
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JSB	AJ	WO85/01051	3/1985	PCT, Arnold			
JSB	AK	0281927A2	9/1988	Europe, Dattagupta et al.			
JSB	AL	0130739A2	1/1985	Europe, Urdea et al.			
JSB	AM	0171150B1	2/1986	Europe, Herzberg et al.			
JSB	AN	WO86/06487	11/1986	PCT, Geysen			

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AO	G. Beltz et al., <u>Methods in Enzymology</u> , 100, 266-285 (1983).
JSB	AP	E.M. Southern et al., <u>Genomics</u> , 13, 1008-1017 (1992).
JSB	AQ	Y.P. Lysov et al., <u>Dokl. Akad.</u> , 303, 1508-1511 (1988) (with English translation).

EXAMINER /John S. Brusca/

DATE CONSIDERED 10/22/2006

Sheet 2 of 16

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
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Date Submitted to PTO: October 22, 1999

ATTY DOCKET NO.
263/PPIR7644 US-DIV-2SERIAL NO.
NEWAPPLICANT
Edwin SOUTHERNFILING DATE
October 22, 1999

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
JSB	BA	4,216,245	8/1980	Johnson	427	2	
JSB	BB	4,395,486	7/1983	Wilson et al.	435	6	
JSB	BC	4,656,127	4/87	Mundy	435	6	
JSB	BD	5,164,319	11/92	Hafeman et al.	435	291	
JSB	BE	5,002,867	3/91	Macevicz	435	6	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
JSB	BF	WO84/03564	9/1984	PCT, Geysen			
JSB	BG	WO86/00991	2/1986	PCT, Geysen			
	BH						
JSB	BI	0228075A2	7/1987	Europe, Dattagupta et al.			

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	BJ	F. Kafatos et al., <u>Nucleic Acids Research</u> , 7(6), 1541-1552 (1979).
JSB	BK	H.M. Geysen et al., <u>J. Immun. Meth.</u> , 102, 259-274 (1987).
JSB	BL	V.J. Kidd et al., <u>Nature</u> , 304, 230-234 (1983).
JSB	BM	P. Masinkowski et al., <u>Nucleic Acids Research</u> , 10(24), 7895-7903 (1982).
JSB	BN	G.K. Sim et al., <u>Cell</u> , 18, 1303-1316 (1979).
JSB	BO	W. Bains et al., <u>J. Theor. Biol.</u> , 135, 303-307 (1988).

EXAMINER

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DATE CONSIDERED

10/22/2006

Sheet 3 of 16

FORM PTO 1449 (modified)			ATTY DOCKET NO. 263/PPIR7644 US-DIV-2		SERIAL NO. NEW		
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			APPLICANT Edwin SOUTHERN				
LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)			FILING DATE October 22, 1999		GROUP		
Date Submitted to PTO: October 22, 1999							
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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
JSB	CA	5,202,231	4/93	Drmanac et al.	435	6	
	CB						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
JSB	CC	WO84/03151	8/1984	PCT, Chang			
JSB	CD	0194132A2	9/1986	Europe, Leaback			
JSB	CE	0063810A1	11/1982	Europe, Gordon et al.			
JSB	CF	0130523A3	1/1985	Europe, Dattagupta et al.			
JSB	CG	0142299A2	5/1985	Europe, Ashihara et al.			
JSB	CH	0268237A2	5/1988	Europe, Hayes et al.			
JSB	CI	WO88/01302	2/1988	PCT, Gingeras et al.			
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
JSB	CJ	Gingeras et al., Nucleic Acids Research, Vol. 15, No. 13, pp. 5373-5390 (1987).					
JSB	CK	U.B. Voss et al., Biochemical Society Transactions, 624th Meeting, Dublin, 216-217 (1987).					
JSB	CL	R.K. Saiki et al., Nature, 324, 163-166 (1986).					
JSB	CM	Wood et al., Proc. Natl. Acad. Sci. (USA), Vol. 82, pp. 1585-1588, 1985.					
JSB	CN	L.J. Arnold et al., Federation Proceedings, 43(7), Abstract No. 3669 (1984).					
JSB	CO	T. Maniatis et al., Molecular Cloning, A Laboratory Manual, Cold Spring Harbor Laboratory, p. 282 (1982).					
EXAMINER	/John S. Brusca/			DATE CONSIDERED	10/22/2006		

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FORM PTO 1449 (modified)			ATTY DOCKET NO. 263/PPTR7644 US-DIV-2		SERIAL NO. NEW		
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			APPLICANT Edwin SOUTHERN				
LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)			FILING DATE October 22, 1999		GROUP		
Date Submitted to PTO: October 22, 1999							
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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
JSB	DC	W086/03782	7/1986	PCT, Malcolm et al.			
JSB	DD	0238332A2	9/1987	Europe, Goodson et al.			
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
JSB	DE	C.R. Cantor et al., <u>Genomics</u> , 13 1378-1383 (1992).					
JSB	DF	G.M. Church et al., <u>Proc. Natl. Acad. Sci. USA</u> , 81 1991-1995 (1984).					
JSB	DG	R. Frank, <u>Methods in Enzymology</u> , 154, 221-251 (1987).					
JSB	DH	R. Frank, <u>Nucleic Acids Research</u> , 11(13), 4365-4377 (1983).					
JSB	DI	A.R. Brautigam et al., <u>J. Clin. Microbiol.</u> , 12(2), 226-234 (1980).					
JSB	DJ	A. Rosenthal et al., <u>Nucleic Acids Research</u> , 13(4), 1173-1184 (1985).					
JSB	DK	B. Lewin, <u>Genes</u> , 3rd Ed., John Wiley & Sons, pp. 360-362 (1983).					
JSB	DL	M. Anderson et al., <u>Nucleic Acid Hybridisation, A Practical Approach</u> , B.D Hames et al., eds., IRL Press, pp. 73-111 (1985).					
JSB	DM	M.S. Urdea et al., <u>Gene</u> , 61, 253-264 (1987).					
EXAMINER	/John S. Brusca/			DATE CONSIDERED	10/22/2006		

Sheet 5 of 16.

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
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	ED						
	EE						

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	EF	C.G. Miyada et al., <u>Methods in Enzymology</u> , <u>154</u> , 94-107 (1987).
JSB	EG	E. Calva et al., <u>J. Biol. Chem.</u> , <u>255</u> (22), 11011-11016 (1980).
JSB	EH	A.R. Dunn et al., <u>Cell</u> , <u>12</u> , 23-36 (1977).
JSB	EI	G. Wengler et al., <u>Virology</u> , <u>78</u> , 124-134 (1977).
JSB	EJ	J.M. Coffin et al., <u>Cell</u> , <u>13</u> 761-773 (1978).
JSB	EK	A. Palva et al., <u>DNA</u> , <u>7</u> (2), 135-142 (1988).
JSB	EL	R. Drmanac et al., "Sequencing of Megabase Plus DNA by Hybridization: Theory of the Method", University of Belgrade (former Yugoslavia) (1988).
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FORM PTO-1449
REV. 7-80U.S. DEPARTMENT OF COMMERCE
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APPLICANT	Edwin SOUTHERN
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U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES
JSB AL	88/01302	2-25-88	WO, Gingeras et al.			NO
JSB AM	0,392,546	10-17-90	EP-A2, Dramanac et al.			
JSB AN	570/87	unknown	Yugoslavia			XXX
	AO					
	AP					

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB AR	Tenover, <u>Clinical Microbiology Reviews</u> , 1(1), 82-101 (January 1988)
JSB AS	Ogle et al., <u>The Journal of Infectious Diseases</u> , 155(1), 119-126 (January 1987)
JSB AT	Moseley et al., <u>Advances in Research on Cholera and Related Diarrheas</u> , 207-216 (1983)

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR	Frankel et al., <u>The Journal of Infectious Diseases</u> , 161 1252-1256 (1990)
JSB	AS	Ezaki, <u>Asian Med. J.</u> , 34(8), 454-459 (1991)
JSB	AT	Ezaki et al., <u>Cancer</u> , 61, 106-109 (1988)

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OTHER ART *(Including Author, Title, Date, Pertinent Pages, Etc.)*

JSB	AR	Horn et al., <u>Concise Communications</u> , 1250-1252 (date unknown)
JSB	AS	Robins-Browne et al., <u>Journal of Clinical Microbiology</u> , 27(4), 644-650 (April 1989)
JSB	AT	Ezaki et al., <u>International Journal of Systematic Bacteriology</u> , 36(2), 345-347 (1986)

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		10/22/2006

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JSB	AR	McDonough et al., <u>Journal of Clinical Microbiology</u> , 26(12), 2515-2519 (1988)
JSB	AS	Bunemann et al. <u>Nucleic Acids Research</u> , 10(22), 7163-7180 (1982)
JSB	AT	Forster et al. <u>Nucleic Acids Research</u> , 13(3), 745-761 (1985)

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR	Koomey et al., <u>Infection and Immunity</u> , 43(1), 101-107 (January 1984)
JSB	AS	Syvanen, <u>Medical Biology</u> , 64, 313-324 (1986) (Review Article)
JSB	AT	Nagata et al., <u>FEBS Letters</u> , 183(2), 379-382 (April 1985)

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR	Ezaki et al., <u>FEMS Microbiology Letters</u> , 67, 127-130 (1990)
JSB	AS	Kilpper-Balz et al., <u>System. Appl. Microbiol.</u> , 5, 494-500 (1984)
JSB	AT	Habermehl, Ed. <u>Rapid Methods and Automation in Microbiology and Immunology</u> , 30-33 (198

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR	Schachter, <u>Diagn. Microbiol. Infect. Dis.</u> , 4, 185-189 (1986)
JSB	AS	Starnbach, <u>Journal of Clinical Microbiology</u> , 27(6), 1257-1261 (June 1989)
JSB	AT	Ezaki et al., <u>Microbiol. Immunol.</u> , 32(2), 141-150 (1988)

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR	Ghosh et al. Farrow et al., <u>System. Appl. Microbiol.</u> , 5, 483-493 (1984)
JSB	AS	Dean et al., <u>Journal of Clinical Microbiology</u> , 27(5), 1062-1067 (May 1989)
JSB	AT	<u>Nucleic Acids Research</u> , 15(13), 5353-5372 (1987)

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR	Gingeras et al. <u>Nucleic Acids Research</u> , 15(13), 5373-5390 (1987)
JSB	AS	Church et al., <u>Science</u> , 240, 185-188 (April 8, 1988)
JSB	AT	Bunemann <u>Nucleic Acids Research</u> , 10(22), 7181-7196 (1982)

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FORM PTO-1449
REV. 7-29U.S. DEPARTMENT OF COMMERCE
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APPLICANT

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						YES	NO
AL	1284931	6-13-91	Canada, Erlich et al.				
AM	89/11548	11-30-89	WO, Saiki et al.				
AN	237362	9-16-87	EP-A, Erlich et al.				
AO							
AP							

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AQ	Gingeras, T.R., et al., "Nucleic Acid Research", 15(13) 5373-5390 (1987)
	AR	Wood et al., Proc. Natl. Acad. Sci. (USA), Vol. 82, pp. 1585-1588, 1985.
JSB	AS	Brigati et al., Virology, Vol. 126, pp. 32-50, 1983.
	AT	Fodor et al., Science, Vol. 251, pp. 767-773, 1991.
JSB	AU	Saiki et al., Nature, Vol. 324, pp. 163-166, 1986.

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

JSB	AR	Ezaki et al., <u>J. Gen. Appl. Microbiol.</u> , <u>34</u> , 191-199 (1988)
JSB	AS	Ezaki et al., <u>Journal of Clinical Microbiology</u> , <u>26(9)</u> , 1708-1713 (September 1988)
JSB	AT	Farrow et al., <u>System. Appl. Microbiol.</u> , <u>5</u> , 467-482 (1984)

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Sheet 1 of 1

INFORMATION DISCLOSURE STATEMENT

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SERIAL NO.

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LIST OF REFERENCES CITED BY APPLICANT
(Use several sheets if necessary)APPLICANT
Edwin Southern

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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JSB	AO	Bioarray News, Vol. 1, No. 1, pp. 1, 8 and 9, June 1, 2001
JSB	AP	Roche Award Molecular Bioanalytics, 2004 to Professor Edwin Southern et al., pp. 1-4, 2004.
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EXAMINER /John S. Brusca/

DATE CONSIDERED

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